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SOUTHERN DISTRICT OF NEW YORK

ROSA GARRIGA,

Plaintiff,

-against-

WALMART STORES, INC. ET AL,

Defendants.

No. 23 Civ. 8879 (NSR)
ORDER

NELSON S. ROMÁN, United States District Judge:

On or about January 5, 2023, Plaintiff Rosa Garriga commenced this action in New York State Supreme Court, Westchester County. On October 3, 2023, Defendants Walmart Stores, Inc. and Sams Club East, Inc. removed the action to federal court on the grounds of diversity jurisdiction, which requires the amount in controversy to exceed \$75,000. 28 U.S.C. § 1332(a). The parties have submitted a stipulation wherein they have agreed to cap damages at \$74,999, and to remand the matter to the New York Supreme Court, Westchester County. (ECF No. 5). Pursuant to the stipulation, this action no longer satisfies the requirements for diversity jurisdiction. Accordingly, the Court remands the case to the New York Supreme Court, Westchester County. The Clerk of the Court is respectfully directed to close this case.

Dated: October 12, 2023
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge